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March 15, 2004

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Application of

Applicant : Toney
Serial No. : 10/658,122
Filed : 09/09/2003
Title : WAVELENGTH SEPARATION DEVICES INCORPORATING
MULTI-BARRIER PHOTONIC HETEROSTRUCTURES
Docket : BAT 0089 PA
Art Unit : 2874

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PAGE 1/9 * RCVD AT 3/15/2004 9:44:34 AM [Eastern Standard Time] * SVR:USPTO-EFAXRF-1/3 * DNIS:8729306 * CSID:9372230724 * DURATION (mm:ss):02:16

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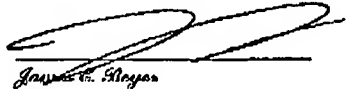
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Sir:

PRELIMINARY AMENDMENT

This paper is being filed prior to receipt of an Office Action in the above-noted application. Consideration of the present application is respectfully requested in light of the amendments and remarks below, which include, in order of appearance, beginning on separate sheets:

- Amendments to the Claims; and
- Remarks.